

AMENDED IN ASSEMBLY JUNE 6, 2016

AMENDED IN SENATE MAY 3, 2016

SENATE BILL

No. 1186

Introduced by Senator Lara

February 18, 2016

An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1186, as amended, Lara. State claims.

Existing law requires the California Victim Compensation and Government Claims Board to ensure that all claims that have been approved by the board and for which there exists no legally available appropriation are submitted for legislative approval at least twice each calendar year.

This bill would appropriate \$647,443.32 from various funds for the payment of claims accepted by the board, as specified. This bill would require the Controller, upon the request of the board, in a form prescribed by the Controller, to transfer surcharges and fees from the specified Budget Act item of appropriation identified in the bill to Item 7870-001-0001 of Section 2.00 of the Budget Act of 2016. This bill would require the board to provide a report of the amounts recovered pursuant to this authority to the Department of Finance within 90 days of the enactment of this bill. This bill would also appropriate certain funds from the General Fund to the board for the payment of the claims of specified individuals.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The sum of six hundred forty-seven thousand
2 four hundred forty-three dollars and thirty-two cents (\$647,443.32)
3 is hereby appropriated from the various funds specified in
4 subdivision (b) to the Executive Officer of the California Victim
5 Compensation and Government Claims Board for the payment of
6 claims accepted by the board in accordance with the schedule set
7 forth in subdivision (b).

8 (b) Pursuant to subdivision (a), claims accepted by the California
9 Victim Compensation and Government Claims Board shall be paid
10 in accordance with the following schedule:

11
12 Total for Fund: General Fund (0001).....\$606,296.25
13 Total for Fund: Item 2660-001-0042
14 Budget Act of 2016, Program 1835010.....\$47.31
15 Total for Fund: Item 2740-001-0044
16 Budget Act of 2016, Program 2130.....\$966.22
17 Total for Fund: Item 4260-101-0001
18 Budget Act of 2016, Program 3960022.....\$2,028.06
19 Total for Fund: Item 5180-111-0001
20 Budget Act of 2016, Program 4275010.....\$15,567.57
21 Total for Fund: Item 7100-001-0185
22 Budget Act of 2016, Program 5930.....\$22,537.91
23

24 SEC. 2. Upon the request of the California Victim
25 Compensation and Government Claims Board, in a form prescribed
26 by the Controller, the Controller shall transfer surcharges and fees
27 from the Budget Act items of appropriation identified in
28 subdivision (b) of Section 1 of this act to Item 7870-001-0001 of
29 Section 2.00 of the Budget Act of 2016. For each Budget Act item
30 of appropriation, this amount shall not exceed the cumulative total
31 of the per claim filing fee authorized by subdivision (c) of Section
32 905.2 of the Government Code and the surcharge authorized by
33 subdivision (f) of Section 905.2 of the Government Code. For
34 those items in subdivision (b) that do not reflect a Budget Act
35 appropriation, the Controller shall transfer an amount not to exceed

1 the cumulative total of the per claim filing fee authorized by
2 subdivision (c) of Section 905.2 of the Government Code and the
3 surcharge authorized by subdivision (f) of Section 905.2 of the
4 Government Code. This amount shall be transferred for the support
5 of the board reimbursements to Item 7870-001-0001 of Section
6 2.00 of the Budget Act of 2016. The board shall provide a report
7 of the amounts recovered pursuant to this authority to the
8 Department of Finance within 90 days of the enactment of this
9 act.

10 SEC. 3. The sum of five hundred eighty-one thousand six
11 hundred dollars (\$581,600) is hereby appropriated from the General
12 Fund to the Executive Officer of the California Victim
13 Compensation and Government Claims Board for the payment of
14 the claim of Obie Steven Anthony III, accepted by the board and
15 reported to the Legislature pursuant to Section 4904 of the Penal
16 Code.

17 SEC. 4. The sum of six hundred fifty-three thousand six
18 hundred dollars (\$653,600) is hereby appropriated from the General
19 Fund to the Executive Officer of the California Victim
20 Compensation and Government Claims Board for the payment of
21 the claim of John Smith, accepted by the board and reported to the
22 Legislature pursuant to Section 4904 of the Penal Code.

23 SEC. 5. The sum of five hundred sixty-four thousand one
24 hundred dollars (\$564,100) is hereby appropriated from the General
25 Fund to the Executive Officer of the California Victim
26 Compensation and Government Claims Board for the payment of
27 the claim of Michael Smith, accepted by the board and reported
28 to the Legislature pursuant to Section 4904 of the Penal Code.

29 SEC. 6. The sum of five hundred twelve thousand six hundred
30 dollars (\$512,600) is hereby appropriated from the General Fund
31 to the Executive Officer of the California Victim Compensation
32 and Government Claims Board for the payment of the claim of
33 Timothy Gantt, accepted by the board and reported to the
34 Legislature pursuant to Section 4904 of the Penal Code.

35 SEC. 7. The sum of six hundred fifty-four thousand five
36 hundred dollars (\$654,500) is hereby appropriated from the General
37 Fund to the Executive Officer of the California Victim
38 Compensation and Government Claims Board for the payment of
39 the claim of Marco Milla, accepted by the board and reported to
40 the Legislature pursuant to Section 4904 of the Penal Code.

1 SEC. 8. The sum of seven hundred sixty-two thousand four
2 hundred forty dollars (\$762,440) is hereby appropriated from the
3 General Fund to the Executive Officer of the California Victim
4 Compensation and Government Claims Board for the payment of
5 the claim of Larry Pohlschneider, accepted by the board and
6 reported to the Legislature pursuant to Section 4904 of the Penal
7 Code.

8 *SEC. 9. The sum of nine hundred thirty-six thousand eight*
9 *hundred eighty dollars (\$936,880) is hereby appropriated from*
10 *the General Fund to the Executive Officer of the California Victim*
11 *Compensation and Government Claims Board for the payment of*
12 *the claim of Luther Ed Jones, Jr., accepted by the board and*
13 *reported to the Legislature pursuant to Section 4904 of the Penal*
14 *Code.*

15 ~~SEC. 9.~~

16 SEC. 10. This act is an urgency statute necessary for the
17 immediate preservation of the public peace, health, or safety within
18 the meaning of Article IV of the Constitution and shall go into
19 immediate effect. The facts constituting the necessity are:

20 In order to pay claims against the state and end hardship to
21 claimants as quickly as possible, it is necessary for this act to take
22 effect immediately.